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DISPATCH



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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DA 97-2179

CC Docket No. 97-211

Released: October 9, 1997

COMMON CARRIER BUREAU REVISES PLEADING SCHEDULE FOR WORLDCom APPLICATION FOR SPECIAL AUTHORITY TO TRANSFER CONTROL TO TRUSTEE OF MCI LICENSES AND AUTHORIZATIONS

Revised Pleading Cycle Established

Pursuant to the FCC's Policy Statement on Tender Offers and Proxy Contests (Policy Statement),¹ the Common Carrier Bureau (Bureau) released a Public Notice on October 3, 1997,² establishing a pleading cycle for interested parties to respond to the Consolidated Application for Transfer of Control of MCI Communications Corporation and Request for Special Temporary Authority (Application) filed by WorldCom, Inc. (WorldCom) on October 1, 1997. On October 1, 1997, WorldCom also announced an exchange offer (the Offer) for all the issued and outstanding stock of MCI Communications Corporation (MCI). Under applicable Securities and Exchange Commission (SEC) rules, the Offer has not yet commenced. Accordingly, after consultation with counsel for WorldCom, BT Telecommunications plc, and MCI Communications Corporation, we are revising the pleading schedule for all interested parties as follows:

¹ See *Tender Offers and Proxy Contests*, Policy Statement, 59 Rad. Reg. 2d (P&F) 1536, 1584 (1986), *appeal dismissed sub. nom. Office of Communication of the United Church of Christ v. F.C.C.*, 826 F.2d 101 (D.C. Cir. 1987).

² WorldCom Applies for Special Authority to Transfer Control to Trustee of MCI Licenses and Authorizations, *Public Notice*, CC Docket No. 97-211, DA 97-2137 (rel. Oct. 3, 1997).

OBJECTIONS: 3 days after commencement of the Offer under the Williams Act and applicable SEC rules

OPPOSITIONS: 3 days after Objections are due to be filed

REPLIES: 2 days after Oppositions are due to be filed

On the date of the commencement of the Offer we will release a public notice specifying the precise dates when the above-referenced pleadings are due. We will entertain requests to accelerate this schedule upon a showing of changed circumstances. Our revision of the pleading cycle does not represent -- and should not be interpreted to imply or suggest -- Commission concern, comment, or opinion on any aspect of the applications filed by WorldCom or the merits of the proposed voting trust and the qualifications of the proposed trustee. Further, by this Public Notice, as in our October 3, 1997 Public Notice, and pursuant to the Commission's Policy Statement, we seek comment only on WorldCom's request that the Commission grant WorldCom Special Temporary Authority (STA) for an interim transfer of stock of MCI and its licensee subsidiaries pursuant to Section 309(f) of the Communications Act³ to an independent trustee, Professor Howard A. White of St. John's University School of Law. We will seek comment on the second stage of the application process, i.e., the application to transfer control from the Trustee to WorldCom, in a subsequent Public Notice.

Interested parties may file objections to WorldCom's application for an STA no later than **noon, three days after the commencement of the Offer**. Oppositions must be filed no later than **noon, three days after objections are due to be filed**. Replies must be filed no later than **two days after oppositions are due to be filed**. Service copies of all pleadings should be hand-delivered to all parties. Alternatively, for pleadings filed from outside the Washington, D.C. metropolitan area, service on all parties should be by facsimile transmission and by overnight courier. In calculating the filing deadlines, intermediate holidays will be counted and Section 1.4(g) of the Rules will not apply. As noted in the October 3, 1997 Public Notice, for administrative convenience, the applications have been consolidated into one docket. Accordingly, for purposes of this Public Notice, new file numbers will not be assigned to the individual applications for transfer of control. All filings regarding any aspect of the proposed merger should reference the docket number assigned to this proceeding, CC Docket No. 97-211. We will endeavor to act expeditiously on the application for the STA.

In the October 3, 1997 Public Notice, we stated this proceeding would be treated for "consistency purposes" in the same manner as the BT-MCI transaction and the related Primestar transactions under the ex parte rules and thus would be treated as a "permit but disclose" proceeding. This is to clarify that the Worldcom proceeding,

³ 47 U.S.C. § 309(f).

the BT-MCI, and related Primestar proceedings shall be treated as inter-related for ex parte purposes to the extent any overlapping issues exist. Therefore, should any presentation in any one of these proceedings also go to merits of any of the other proceedings, appropriate disclosure should be made in each in accordance with the procedures set forth in Section 1.1206 of the Commission's Rules.

For further information, contact Gregory M. Cooke, Network Services Division, Common Carrier Bureau at (202) 418-2351. For information regarding specific applications, please contact the following: (1) International Bureau, Karl Kensinger (202) 418-0773; and (2) Wireless Telecommunications Bureau, Tom Dombrowsky (Commercial Wireless Division), (202) 418-1385, and Mike Regiec (Public Safety and Private Wireless Division), (717) 338-2665.